

# Notice of Allowability

Application No.

10/678,090

Examiner

Tuan C. To

Applicant(s)

OKADA, KAZUNORI

Art Unit

3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/6/06.
2. ☒ The allowed claim(s) is/are 2-6 and 16-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Patent Examiner,  
*[Signature]*  
Tuan C To

### **EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

This communication is an Examiner's reasons for allowance in response to application filed on 10/6/2003, assigned serial 10/678,090 and titled "Electronic Control Unit for Controlling Updating of Data in Non-Volatile Memory".

The following is the Examiner's statement of reasons for the indication of allowable subject matter:

The applicant's amendment filed on 11/6/2006 has been fully considered. After carefully reconsidering the application and the applied prior art, the examiner has realized the application is patentably distinct from the prior art. The prior art are not deemed strong to make the application unpatentable.

As to claims 2, 4, and 5, the prior art do not fairly suggest a control means for executing, on finding that the value of the continuous storage object data is changed in its value by N during the single operation period, a write process to write the continuous storage object data thus changed in its value by N to the non-volatile memory, and for not executing the process to write thereafter the continuous storage object data which has been changed in its value only by N to the non-volatile memory during the same operation period. This limitation in combination with the other elements in the claim was not shown or suggested by the prior art.

As to claim 16, the prior art fail to disclose a control means for executing, a write process to write the continuous storage object to the RAM until the value of the continuous storage object data is changed in its value by N during the single operation period and for executing the process to write the continuous storage object data which

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has been changed in its value only by N and written in the RAM to the non-volatile memory during the same operation period. This limitation in combination with the other elements in the claim was not shown or suggested by the prior art.

For that reasons claims 2, 4, 5, and 16 are allowable as well as claims 3, 6, and 17-20.

The application is now set in a condition of allowance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Patent Examiner,

A handwritten signature in black ink, appearing to read 'Tuan C To', is written over a horizontal line.

Tuan C To

January 5, 2007